

MINUTES OF THE NOVEMBER 29, 2011, DECEMBER 15, 2011, JANUARY 4, 2012, AND APRIL 3, 2012
PUBLIC HEARING ON DEPARTMENT OF PERMITTING AND ENVIRONMENTAL REVIEW FILE NOS. L04P0032
AND L07SH003.

Mr. Peter T. Donahue was the Hearing Examiner in this matter. Participating in the proceeding were Kimberly Claussen, Pete Dye, Lanny Henoeh, Mark Ossewaarde and John Shively for the Department; De-En Lang, Thomas Pors and Hal Hagenson for the Applicant; Steve Keller and Charles Klinge for the Intervenor, and Eric Haakenson, Cindy Parks, Bob Angrisano, Patrick Leen and Joe Monahan.

The following exhibits were offered and entered into the record on November 29, 2011:

- ✓ Exhibit no. 1 DPER file no. L04P0032
- ✓ Exhibit no. 2 Preliminary Report, dated November 29, 2011
- ✓ Exhibit no. 3 Application for Land Use Permits received December 27, 2004
- ✓ Exhibit no. 3B Application for Shoreline permit received May 8, 2007
- ✓ Exhibit no. 4 State Environmental Policy Act (SEPA) received December 23, 2003
- ✓ Exhibit no. 4B State Environmental Policy Act (SEPA) checklist for the Shoreline permit received May 8, 2007
- ✓ Exhibit no. 5 SEPA Determination of Non-Significance issued September 29, 2011
- ✓ Exhibit no. 6 Affidavit of posting noting posting date of October 25, 2011
- ✓ Exhibit no. 7 Revised preliminary plat map received May 25, 2011
- ✓ Exhibit no. 8 Assessor maps NW 5-24-07, 8-24-7 (4-24-7 32-23-7 5-24-7)
- ✓ Exhibit no. 9 Amended and Restated Easement Agreement recorded October 6, 2009
- ✓ Exhibit no. 9B Second Amended and Restated Easement Agreement recorded June 21, 2010
- ✓ Exhibit no. 10 Farm Management Plan submitted May 4, 2009
- ✓ Exhibit no. 11 Report of Geotechnical Investigation received December 27, 2004
- ✓ Exhibit no. 12 Addendum to Geotechnical report received May 4, 2009
- ✓ Exhibit no. 13 Wetland and Wildlife Study received December 27, 2004
- ✓ Exhibit no. 14 Conceptual Wetland Mitigation Plan received May 4, 2003
- ✓ Exhibit no. 15 Revised Conceptual Wetland Mitigation Plan received October 6, 2009 - map is also
- ✓ Exhibit no. 16 Revised Conceptual Wetland Mitigation Plan received January 4, 2011 - missing (map as 16)
- ✓ Exhibit no. 17 Preliminary Technical Information Report and Downstream Analysis received May 25, 2011
- ✓ Exhibit no. 18 Updates to the DPER staff report: new condition for the plat application and deletion of condition 17 for the shoreline application
- ✓ Exhibit no. 19 Road Variance L09V0043 issued May 20, 2011
- ✓ Exhibit no. 19A Road Variance L04V0109 letter to De-En Lang from Paulette Norman dated August 5, 2008
- ✓ Exhibit no. 20 King County Surface Water Design Manual (1998) Adjustment L07V0057
- ✓ Exhibit no. 21 King County Certificate of Water Availability received January 4, 2011
- ✓ Exhibit no. 22 Letter from King County Fire Protection District No. 27 received January 28, 2010
- ✓ Exhibit no. 23 Letter from the Snoqualmie Tribe, dated October 17, 2011, regarding salmon activity in the Snoqualmie River
- ✓ Exhibit no. 24 Email from Robert Seana dated October 17, 2011, regarding site posting and area notice of the SEPA determination and Notice of Hearing
- ✓ Exhibit no. 25 Letter from Intervenor's representative stating their concerns to DPER dated November 22, 2011
- ✓ Exhibit no. 26 Declaration of Eric Haakenson in Support of Plaintiff's Motion for Summary Judgment executed August 5, 2010
- ✓ Exhibit no. 27 Keller plat map
- ✓ Exhibit no. 28 Keller diagram of runoff and soil
- ✓ Exhibit no. 29 Zoning Map of the subject and surrounding properties as extracted on May 15, 2005 (March)
- ✓ Exhibit no. 30 Email from Greg Bishop of Seattle-King County Public Health regarding preliminary approvals for the subject application, sent November 29, 2011
- ✓ Exhibit no. 31 Duplicate of Exh. no. 42 (OK)
- ✓ Exhibit no. 32 Harold Hagenson's November 28, 2011, response to Edward McCarthy's November 22, 2011 expert report

- ✓ Exhibit no. 33 Lower Snoqualmie and Skykomish Rivers Work Map dated January 24, 2006
- ✓ Exhibit no. 34 2006 draft FEMA map of subject property

The following exhibits were offered and entered into the record on December 15, 2011:

- Exhibit no. 35 not entered into record
- ✓ Exhibit no. 36A Email from De-En Lang to Lanny Henoch sent December 7, 2011, relaying subdivision density dimension calculations
- ✓ Exhibit no. 36B Subdivision Density and Dimension Calculations Worksheet for the RA-10 zoned property dated April 27, 2009 RA-5
- ✓ Exhibit no. 36C Subdivision Density and Dimension Calculations Worksheet for the RA-5-P dated April 27, 2009 RA-10
- ✓ Exhibit no. 36D Subdivision Density and Dimension Calculations Worksheet for the A-35 zoned property dated April 27, 2009
- ✓ Exhibit no. 37 Downstream Analysis originally prepared December 23, 2004, revised March 22, 2007
- ✓ Exhibit no. 38 Certificate of Transportation Concurrence dated December 16, 2005
- ✓ Exhibit no. 39 Hagenson Consultants letter to DPER regarding King County Fire District #27's letter dated January 21, 2010
- ✓ Exhibit no. 40 Email from Don Gauthier to Hal Hagenson sent December 12, 2011 regarding the applicable FEMA flood maps
- ✓ Exhibit no. 41 King County's Fire-resistant Landscape Plants for the Puget Sound Basin
- ✓ Exhibit no. 42 Request for Subdivision Pre-Application Review to Public Health, Environmental Health Division
- ✓ Exhibit no. 43 Letter from Paul McCombs, Master GIS Analyst and DPER GIS Program Manager, explaining county zoning maps, dated December 12, 2011
- ✓ Exhibit no. 44 Zoning Map of the subject and surrounding properties as extracted and formatted by Paul McCombs on December 12, 2011
- ✓ Exhibit no. 45 Applicant's Response to Interrogatories to Parties and Submittal of Exhibits
- ✓ Exhibit no. 46 Preliminary plat (Alt B) map dated September 28, 2009

The following exhibits were offered and entered into the record on January 4, 2012:

- ✓ Exhibit no. 47 Document 'Keeping the Rural Vision' prepared by the Department of Community, Trade and Economic Development dated June 1999
- ✓ Exhibit no. 48 Excerpt from the GMA
- ✓ Exhibit no. 49 Excerpt from King County Roads site on Historic and Scenic Corridors
- ✓ Exhibit no. 50 Topographic map of property from Google earth
- ✓ Exhibit no. 51 Expert report for hearing by Engineer Edward J. McCarthy
- ✓ Exhibit no. 52A-D Photographs of property (has small picture attached)
- ✓ Exhibit no. 53 Letter to Hagenson Consulting LLC from Chief Chris J. Connor of King County Fire Protection District No. 27 dated January 3, 2012

The following exhibits were offered and entered into the record on April 3, 2012:

- ✓ Exhibit no. 54 Revised plat drawing, Sheet 1 of 1
- ✓ Exhibit no. 55 Revised plat drawing, Sheet C2-ALTC
- ✓ Exhibit no. 56 Revised plat drawing, Sheet C4-A
- ✓ Exhibit no. 57 Letter from DPER to the Applicant and Engineer on issuance of the new Surface Water Design Manual Adjustment for file no. L12V0002
- ✓ Exhibit no. 58 Wetland Hydrologic Analysis completed by Goldsmith Land Development Services dated March 2012
- ✓ Exhibit no. 59 Letter to the Hearing Examiner from Thomas M. Pors dated March 27, 2012
- ✓ Exhibit no. 60 Letter with copy of Expert Rebuttal Testimony of Harold Hagenson from Thomas Pors to the Hearing Examiner dated March 30, 2012
- ✓ Exhibit no. 61 Letter to Peter Dye from Ed McCarthy dated February 29, 2012
- ✓ Exhibit no. 62 Aerial photo of Jubilee Farms

- ✓ Exhibit no. 63 Natural Resource Conservation Service Soil Survey
 - ✓ Exhibit no. 64 Soil Map of Tall Chief property
 - ✓ Exhibit no. 65 Staff Revised Conditions
 - ✓ Exhibit no. 66 Letter to Lanny Henoch from James M. Garhart dated March 14, 2012
 - ✓ Exhibit no. 67 Agreement to Grant Emergency Access Easement with Aldarra Ridge Homeowners Association
 - ✓ Exhibit no. 68 Letter from John C. Cochenour, President of Patterson Creek Preserve, LLC and Aldarra Ridge Homeowners Association dated March 28, 2012
 - ✓ Exhibit no. 69 Letter to Lanny Henoch from Hal Hagenson of Hagenson Consultants, LLC dated December 29, 2011
 - ✓ Exhibit no. 70 Letter to Lanny Henoch from Hal Hagenson of Hagenson Consultants, LLC dated December 14, 2011
 - ✓ Exhibit no. 71 Letter to James Zogg from C. J. Shin of Soil & Environmental Engineers, Inc. dated January 12, 2012
 - ✓ Exhibit no. 72 Excerpt from Ordinance 15032
 - ✓ Exhibit no. 73 Letter to Lanny Henoch from Hal Hagenson of Hagenson Consultants, LLC dated March 26, 2012 on School Bus Emergency Routes
 - ✓ Exhibit no. 74 School Bus Emergency Travel Route
- MINUTES OF THE MARCH 4, 5 AND 21, 2013, REMAND PUBLIC HEARING ON PERMITTING AND ENVIRONMENTAL REVIEW FILE NO. L04P0032.

David W. Spohr was the Hearing Examiner in this matter. Participating in the proceeding were Thomas Pors and Grant S. Degginger representing the Applicant; Charles Klinge representing the Intervenors; Jina Kim and Kim Claussen representing the Department of Permitting and Environmental Review; James Garhart, Ruth Brandal, Bruce L. Blyton, Mark A. Barber, Hal Hagenson, Robert Rowe, W. Martin McCabe, William Lider, Steve Keller, Bob Seana, Ken Zweig, Craig Comfort, Molly Johnson and Pete Dye.

The following exhibits were offered and entered into the record on March 4, 2013:

- ✓ Exhibit no. 75 Resume of Bruce L. Blyton
- ✓ Exhibit no. 76 Resume of Mark A. Barber
- ✓ Exhibit no. 77 Resume of Hal Hagenson
- ✓ Exhibit no. 78 Resume of Robert Rowe
- ✓ Exhibit no. 79 Colored plat map of Tall Chief
- ✓ Exhibit no. 80 Memo to David W. Spohr, interim Deputy Hearing Examiner from Hal Hagenson dated February 21, 2013
- ✓ Exhibit no. 81 Memorandum to Tom Pors from Bruce Blyton dated February 21, 2013
- ✓ Exhibit no. 82 Technical Memorandum to Tall Chief Golf, Inc. from Jeffrey P. Laub and Bruce L. Blyton dated February 22, 2013
- ✓ Exhibit no. 83 Letter to King County DDES from Mark A. Barber dated February 15, 2012
- ✓ Exhibit no. 84 Plat maps of Tall Chief Country Club Tracts, Alternate B – Detention prepared by Hagenson Consultants, LLC
- ✓ Exhibit no. 85 Drainage Review Frequently Asked Questions, Bulletin #29 taken from King County Department of Permitting and Environmental Review web site
- ✓ Exhibit no. 86 Preliminary Subdivision Applications: Instructions taken from King County Department of Permitting and Environmental Review web site
- ✓ Exhibit no. 87 Aerial photographs of the Snoqualmie River Valley taken in 1936 and 2000
- ✓ Exhibit no. 88 Applicant's Proposed Revisions to Conditions of Approval for Tall Chief Preliminary
- ✓ Exhibit no. 89 Flooding Services and Information from King County
- ✓ Exhibit no. 90 Plat map of Tall Chief showing wetland
- ✓ Exhibit no. 91 Colored aerial photo showing route
- ✓ Exhibit no. 92 Road closures near Tall Chief Plat indicating dates of closings
- ✓ Exhibit no. 93 Resume of W. Martin McCabe
- ✓ Exhibit no. 94 Resume of William Lider
- ✓ Exhibit no. 95 Color photographs of area

- ✓~~Exhibit~~ no. 96 Point of Compliance Analysis and Diversion Area Water Balance Analysis prepared by Hagenson Consultants, LLC, dated January 18, 2012
- ✓~~Exhibit~~ no. 97 Easement Agreement between Patterson Creek Preserve, LLC, Aldarra Ridge Homeowners Association and Tall Chief Golf, Inc. dated November 13, 2006

The following exhibits were offered and entered into the record on March 5, 2013:

- ✓~~Exhibit~~ no. 98 Color-coded Map of plat showing forested area to remain/be cleared; fairway declared forested area to be planted and fairway area developable
- ✓~~Exhibit~~ no. 99 Email from Hal Hagenson to Bruce L. Blyton regarding Tall Chief Surcharge Volume dated February 6, 2013
- ✓~~Exhibit~~ no. 100 Excerpt from King County 1998 Surface Water Design Manual
- Exhibit no. 101 Not entered into the record
- ✓~~Exhibit~~ no. 102 Excerpt from King County 1998 Surface Water Design Manual C.2.1
- ✓~~Exhibit~~ no. 103 Replacement conditions